

APPEAL NO. 021536  
FILED JULY 29, 2002

This appeal arises pursuant to the Texas Workers' Compensation Act, TEX. LAB. CODE ANN. § 401.001 *et seq.* (1989 Act). A contested case hearing was held on May 15, 2002. The hearing officer resolved the disputed issues by determining that the compensable injury sustained by the respondent (claimant) on \_\_\_\_\_, includes an injury to the lumbar spine and that the claimant had resulting disability from \_\_\_\_\_, through the date of the hearing. The appellant (carrier) contends that these determinations are against the great weight and preponderance of the evidence. The claimant urges affirmance.

DECISION

Affirmed.

Extent-of-injury and disability issues present factual determinations for the hearing officer to resolve. Section 410.165(a) provides that the hearing officer, as finder of fact, is the sole judge of the relevance and materiality of the evidence as well as of the weight and credibility that is to be given the evidence. When reviewing a hearing officer's decision for factual sufficiency of the evidence we should reverse such decision only if it is so contrary to the overwhelming weight of the evidence as to be clearly wrong and unjust. Cain v. Bain, 709 S.W.2d 175, 176 (Tex. 1986). We are satisfied that the evidence sufficiently supports the hearing officer's determinations that the compensable injury includes an injury to the claimant's lumbar spine and that she had disability from \_\_\_\_\_, through the date of the hearing.

The decision and order of the hearing officer are affirmed.

The true corporate name of the insurance carrier is **GENERAL ACCIDENT INSURANCE COMPANY** and the name and address of its registered agent for service of process is

**C. J. FIELDS  
5910 NORTH CENTRAL EXPRESSWAY  
DALLAS, TEXAS 75206.**

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Susan M. Kelley  
Appeals Judge

CONCUR:

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Judy L. S. Barnes  
Appeals Judge

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Robert W. Potts  
Appeals Judge